

09/27/01

J0646 U.S. PTO

09-28-01

A/Plant

PTO/SB/19 (03-01)

Approved for use through 10/31/2002. OMB 0551-0032  
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# PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	36-01-P10F
First Named Inventor	James P. VanLaeken
Title	Clematis Plant Named 'Sprinkles'
Express Mail Label No.	ET 598121865 US

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

ADDRESS TO:

## APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)  
Applicant claims small entity status. See 37 CFR 1.27. [Total Pages 7]
- ☒ Specification  
(2 copies required - 37 CFR 1.163(b))  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross References to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Latin name of genus and species  
- Variety denomination  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings  
- Detailed Botanical Description  
- Claim (only one (1) permitted MPEP 1605)  
- Abstract of the Disclosure  
Color drawing(s) [Total Sheets 2]  
(2 copies required - 37 CFR 1.165(b)) [Total Pages 2]
- Oath or Declaration  
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)  
i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76.

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- Other: \_\_\_\_\_

Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

- If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_  
Group Art Unit: \_\_\_\_\_  
Prior application information: Examiner: \_\_\_\_\_  
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

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Name (Print/Type)	Fred L. Denson	Registration No. (Attorney/Agent)	24,325
Signature	<i>Fred L. Denson</i>	Date	9/21/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

10/1/2/01  
PTO  
J0646 U.S. PTO  
09/27/01

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 245.00

## Complete if Known

Application Number \_\_\_\_\_  
Filing Date \_\_\_\_\_  
First Named Inventor James P. VanLaeken  
Examiner Name \_\_\_\_\_  
Group Art Unit \_\_\_\_\_  
Attorney Docket No. 36-01-P10F

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number \_\_\_\_\_  
Deposit Account Name \_\_\_\_\_
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed: ☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	245
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 245

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3*** =	X	

Large Entity Small Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \_\_\_\_\_

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
121 270	221 135	Petition to institute a public use proceeding	
138 1,510	138 1,510	Petition to revive - unavoidable	
140 110	240 55	Petition to revive - unintentional	
141 1,240	241 620	Issue fee (or reissue)	
142 1,240	242 620	Design issue fee	
143 440	243 220	Plant issue fee	
144 600	244 300	Petitions to the Commissioner	
122 130	122 130	Processing fee under 37 CFR 1.17(q)	
123 50	123 50	Submission of Information Disclosure Stmt	
126 180	126 180	Recording each patent assignment per property (times number of properties)	
581 40	581 40	Filing a submission after final rejection (37 CFR § 1.129(a))	
146 710	246 355	For each additional invention to be examined (37 CFR § 1.129(b))	
149 710	249 355	Request for Continued Examination (RCE)	
179 710	279 355	Request for expedited examination of a design application	
169 900	169 900	Other fee (specify) _____	

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \_\_\_\_\_

## SUBMITTED BY

Name (Print/Type)

Fred L. Denison

Registration No. (Attorney/Agent)

24,325

## Complete if applicable

Telephone

716-265-2710

Date

9/21/01

Signature

*Fred L. Denison*

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